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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DESIREE ARNEY,)
13 Plaintiff,) Case No.: 2:21-cv-01633-VCF
14 vs.)
15 KILOLO KIJAKAZI,) **UNOPPOSED MOTION FOR A FIRST
Acting Commissioner of Social Security,) EXTENSION OF TIME TO FILE CERTIFIED
16 Defendant.¹) ADMINISTRATIVE RECORD AND ANSWER
17) (**FIRST REQUEST**)
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25 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule
26 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for
Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason
of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), by and through his undersigned attorneys, hereby moves for a first sixty-day extension of time to file the Certified Administrative Record (CAR) and answer to Plaintiff’s Complaint. The CAR and answer to Plaintiff’s Complaint are due to be filed by November 15, 2021.

Defendant makes this request in good faith and with no intention to delay proceedings unnecessarily. Preparation of the transcript in this case will require transcription of an administrative law judge and certification of the record by the Social Security Administration's Office of Appellate Operations, which has reduced its backlog of transcription and certification requests significantly, but does not anticipate having the record for this case prepared by November 15, 2021. Defendant requests an extension in which to respond to the Complaint until January 14, 2022. If Defendant is unable to produce the certified administrative record necessary to file an Answer in accordance with this Order, Defendant shall request an additional extension prior to the due date. If the record is ready before that time, Defendant will file it and the answer as soon as possible.

On November 12, 2021, the undersigned conferred with Plaintiff's counsel, who has no opposition to the requested extension. It is therefore respectfully requested that Defendant be granted an extension of time to file the CAR and answer to Plaintiff's Complaint, through and including January 14, 2022.

Dated: November 12, 2021

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney

~~IT IS SO ORDERED:~~

HON. CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

11-15-2021

DATED:

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of **UNOPPOSED MOTION FOR A FIRST EXTENSION OF TIME TO FILE CERTIFIED ADMINISTRATIVE RECORD AND ANSWER** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Leonard Stone
lstone@shookandstone.com

Marc V. Kalagian
marc.kalagian@rksslaw.com

Attorneys for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 12, 2021

/s/ Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney